

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

WEAKLEY COUNTY BOARD OF
EDUCATION,

Plaintiff,

v.
H. M., individually, and by and through
J. M., natural parent and guardian of H. M.,

No. 08-1254

Defendants.

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE AND GRANTING PLAINTIFF'S
MOTION TO DISMISS COUNTERCLAIM

This cause is before the Court in connection with the report and recommendation of the magistrate judge regarding the motion of the Plaintiff, Weakley County Board of Education, to dismiss the counterclaim filed by the Defendants, H. M., individually, and by and through J. M., her natural parent and guardian, with their answer (D.E. #12.) The magistrate judge's report, filed on August 31, 2009, recommended that the motion be granted. According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed the magistrate judge's report and recommendation, and the entire record of the proceeding before the magistrate judge. No objections having been filed to the report and recommendation, the Court ADOPTS the magistrate judge's report and recommendation.

It is therefore ORDERED that the magistrate judge's report and recommendation filed August 31, 2009 is hereby ADOPTED and the motion to dismiss the counterclaim is GRANTED in accordance therewith.

IT IS SO ORDERED this 21st day of September, 2009.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE